

## § 1007.1

- 1007.76 Payments by a handler operating a partially regulated distributing plant.  
1007.77 Adjustment of accounts.  
1007.78 Charges on overdue accounts.

### MARKETWIDE SERVICE PAYMENTS

- 1007.80 Transportation credit balancing fund.  
1007.81 Payments to the transportation credit balancing fund.  
1007.82 Payments from the transportation credit balancing fund.

### ADMINISTRATIVE ASSESSMENT AND MARKETING SERVICE DEDUCTION

- 1007.85 Assessment for order administration.  
1007.86 Deduction for marketing services.

AUTHORITY: 7 U.S.C. 601-674.

SOURCE: 60 FR 29437, June 2, 1995, unless otherwise noted.

## Subpart—Order Regulating Handling

### GENERAL PROVISIONS

#### § 1007.1 General provisions.

The terms, definitions, and provisions in part 1000 of this chapter apply to and are hereby made a part of this order.

### DEFINITIONS

#### § 1007.2 Southeast marketing area.

The *Southeast marketing area*, hereinafter called the *marketing area*, means all territory within the bounds of the following Alabama, Florida, Georgia, Mississippi, Tennessee, and Arkansas counties and Louisiana parishes, including all piers, docks, and wharves connected therewith and all craft moored thereat, and all territory occupied by government (municipal, State, or Federal) reservations, installations, institutions, or other similar establishments if any part thereof is within any of the listed counties or parishes:

##### ZONE 1

###### *Arkansas Counties*

Baxter, Clay, Fulton, Greene, Izard, Lawrence, Randolph, and Sharp.

###### *Tennessee Counties*

Cheatham, Clay, Davidson, Dickson, Fentress, Henry, Houston, Jackson, Lake, Macon, Montgomery, Obion, Overton, Pick-

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ett, Robertson, Smith, Stewart, Sumner, Trousdale, Weakley, and Wilson.

##### ZONE 2

###### *Arkansas Counties*

Newton, Searcy, and Stone.

###### *Tennessee Counties*

Bedford, Benton, Bledsoe, Cannon, Carroll, Chester, Coffee, Crockett, DeKalb, Decatur, Dyer, Gibson, Grundy, Henderson, Hickman, Humphreys, Lewis, Madison, Marshall, Maury, Perry, Putnam, Rutherford, Van Buren, Warren, White, and Williamson.

##### ZONE 3

###### *Arkansas Counties*

Cleburne, Craighead, Independence, Jackson, Johnson, Mississippi, Poinsett, Pope, and Van Buren.

###### *Tennessee Counties*

Lauderdale, Tipton, and Haywood.

##### ZONE 4

###### *Arkansas Counties*

Conway, Crittenden, Cross, Faulkner, Garland, Lee, Lonoke, Monroe, Montgomery, Perry, Polk, Prairie, Pulaski, Saline, St. Francis, White, Woodruff, and Yell.

###### *Tennessee Counties*

Fayette, Franklin, Giles, Hardeman, Hardin, Lawrence, Lincoln, McNairy, Moore, Shelby, and Wayne.

##### ZONE 5

###### *Alabama Counties*

Colbert, De Kalb, Franklin, Jackson, Lauderdale, Lawrence, Limestone, Madison, Marshall, and Morgan.

###### *Arkansas Counties*

Arkansas, Clark, Grant, Hot Spring, Howard, Jefferson, Phillips, Pike, and Sevier.

###### *Georgia Counties*

Gilmer, Towns, and Union.

###### *Mississippi Counties*

Alcorn, Benton, Coahoma, DeSoto, Itawamba, Lafayette, Lee, Marshall, Panola, Pontotoc, Prentiss, Quitman, Tate, Tippah, Tishomingo, Tunica, and Union.

##### ZONE 6

###### *Alabama Counties*

Blount, Cherokee, Cullman, Etowah, Fayette, Lamar, Marion, Walker, and Winston.

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### *Arkansas Counties*

Bradley, Calhoun, Cleveland, Dallas, Desha, Drew, Hempstead, Lincoln, Little River, Nevada, and Ouachita.

### *Georgia Counties*

Bartow, Cherokee, Dawson, Floyd, Gordon, Habersham, Lumpkin, Pickens, Rabun, and White.

### *Mississippi Counties*

Bolivar, Calhoun, Chickasaw, Grenada, Monroe, Sunflower, Tallahatchie, and Yalobusha.

### ZONE 7

### *Alabama Counties*

Bibb, Calhoun, Clay, Cleburne, Jefferson, Pickens, Randolph, Shelby, St. Clair, Talladega, and Tuscaloosa.

### *Arkansas Counties*

Ashley, Chicot, Columbia, Lafayette, Miller, and Union.

### *Georgia Counties*

Banks, Barrow, Butts, Carroll, Clarke, Clayton, Cobb, Coweta, De Kalb, Douglas, Elbert, Fayette, Forsyth, Franklin, Fulton, Greene, Gwinnett, Hall, Haralson, Hart, Heard, Henry, Jackson, Jasper, Lincoln, Madison, Morgan, Newton, Oconee, Oglethorpe, Paulding, Polk, Putnam, Rockdale, Spalding, Stephens, Taliaferro, Walton, and Wilkes.

### *Mississippi Counties*

Attala, Carroll, Choctaw, Clay, Holmes, Humphreys, Leflore, Lowndes, Montgomery, Noxubee, Oktibbeha, Washington, Webster, and Winston.

### ZONE 8

### *Alabama Counties*

Chambers, Chilton, Coosa, Greene, Hale, Lee, Perry, Sumter (north of U.S. 80), and Tallapoosa.

### *Georgia Counties*

Baldwin, Bibb, Burke, Columbia, Crawford, Glascock, Hancock, Harris, Jefferson, Jones, Lamar, McDuffie, Meriwether, Monroe, Muscogee, Pike, Richmond, Talbot, Taylor, Troup, Twiggs, Upson, Warren, Washington, and Wilkinson.

### *Louisiana Parishes*

Bienville, Bossier, Caddo, Claiborne, East Carroll, Jackson, Lincoln, Morehouse,

Ouachita, Richland, Union, Webster, and West Carroll.

### *Mississippi Counties*

Issaquena, Kemper, Leake, Madison, Neshoba, Sharkey, and Yazoo.

### ZONE 9

### *Alabama Counties*

Autauga, Bullock, Dallas, Elmore, Lowndes, Macon, Marengo, Montgomery, Russell, Sumter (south of U.S. 80), and Wilcox.

### *Georgia Counties*

Bleckley, Bulloch, Candler, Chattahoochee, Crisp, Dodge, Dooly, Effingham, Emanuel, Evans, Houston, Jenkins, Johnson, Laurens, Macon, Marion, Montgomery, Peach, Pulaski, Schley, Screven, Stewart, Sumter, Tattnall, Telfair, Toombs, Treutlen, Webster, Wheeler, and Wilcox.

### *Louisiana Parishes*

Caldwell, De Soto, Franklin, Madison, Natchitoches (north of State Highway 6 and U.S. 84), Red River, Tensas, and Winn.

### *Mississippi Counties*

Claiborne, Clarke, Copiah, Hinds, Jasper, Lauderdale, Newton, Rankin, Scott, Simpson, Smith, and Warren.

### ZONE 10

### *Alabama Counties*

Barbour, Butler, Choctaw, Clarke, Coffee, Conecuh, Covington, Crenshaw, Dale, Escambia, Geneva, Henry, Houston, Monroe, Pike, and Washington.

### *Georgia Counties*

Appling, Atkinson, Bacon, Baker, Ben Hill, Berrien, Brantley, Brooks, Bryan, Calhoun, Camden, Charlton, Chatham, Clay, Clinch, Coffee, Colquitt, Cook, Decatur, Dougherty, Early, Echols, Glynn, Grady, Irwin, Jeff Davis, Lanier, Lee, Liberty, Long, Lowndes, McIntosh, Miller, Mitchell, Pierce, Quitman, Randolph, Seminole, Terrell, Thomas, Tift, Turner, Ware, Wayne, and Worth.

### *Louisiana Parishes*

Avoyelles, Catahoula, Concordia, Grant, La Salle, Natchitoches (south of State Highway 6 and U.S. 84), Rapides, Sabine, and Vernon.

### *Mississippi Counties*

Adams, Amite, Covington, Forrest, Franklin, Greene, Jefferson, Jefferson Davis, Jones, Lamar, Lawrence, Lincoln, Marion, Perry, Pike, Walthall, Wayne, and Wilkinson.

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#### ZONE 11

##### *Alabama Counties*

Baldwin and Mobile.

##### *Florida Counties*

Escambia, Okaloosa, Santa Rosa, and Walton.

##### *Louisiana Parishes*

Allen, Beauregard, East Feliciana, Evangeline, Pointe Coupee, St. Helena, St. Landry, St. Tammany, Tangipahoa (north of State Highway 16), Washington, and West Feliciana.

##### *Mississippi Counties*

George, Hancock, Harrison, Jackson, Pearl River, and Stone.

#### ZONE 12

##### *Louisiana Parishes*

Acadia, Ascension, Assumption, Calcasieu, Cameron, East Baton Rouge, Iberia, Iberville, Jefferson, Jefferson Davis, Lafayette, Lafourche, Livingston, Orleans, Plaquemines, St. Bernard, St. Charles, St. James, St. John the Baptist, St. Martin, St. Mary, Tangipahoa (north of State Highway 16), Terrebonne, Vermilion, and West Baton Rouge.

[60 FR 29437, June 2, 1995, as amended by 61 FR 20125, May 6, 1996]

### § 1007.3 Route disposition.

*Route disposition* means a delivery to a retail or wholesale outlet (except a plant), either directly or through any distribution facility (including disposition from a plant store, vendor or vending machine) of a fluid milk product classified as Class I milk. Packaged fluid milk products that are transferred to a distributing plant from a plant with route disposition in the marketing area and which are classified as Class I under § 1007.40(a) shall be considered as route disposition from the transferor plant, rather than the transferee plant, for the single purpose of qualifying it as a pool plant under § 1007.7(a).

### § 1007.4 Plant.

*Plant* means the land, buildings, facilities, and equipment constituting a single operating unit or establishment at which milk or milk products, including filled milk, are received, processed, or packaged. Separate facilities with-

out stationary storage tanks that are used only as a reload point for transferring bulk milk from one tank truck to another or separate facilities used only as a distribution point for storing packaged fluid milk products in transit for route disposition shall not be a plant under this definition.

### § 1007.5 Distributing plant.

*Distributing plant* means a plant that is approved by a duly constituted regulatory agency for the handling of Grade A milk and at which fluid milk products are processed or packaged and from which there is route disposition in the marketing area during the month.

### § 1007.6 Supply plant.

*Supply plant* means a plant that is approved by a duly constituted regulatory agency for the handling of Grade A milk and from which fluid milk products are transferred during the month to a pool distributing plant.

### § 1007.7 Pool plant.

*Pool plant* means a plant specified in paragraphs (a), (b), (c) or (d) of this section, or a unit of plants as specified in paragraph (e) of this section, but excluding a plant specified in paragraph (g) of this section. The pooling standards described in paragraphs (a) through (c) of this section are subject to modification pursuant to paragraph (f) of this section:

(a) A distributing plant from which during the month:

(1) Total route disposition, except filled milk, is equal to 50 percent or more of the total quantity of Grade A fluid milk products, except filled milk, physically received at such plant or diverted therefrom pursuant to § 1007.13; and

(2) Route disposition, except filled milk, in the marketing area is at least the lesser of a daily average of 1,500 pounds or 10 percent of the total quantity of fluid milk products, except filled milk, physically received or diverted therefrom pursuant to § 1007.13.

(b) A supply plant from which during each of the months of July through November 60 percent (40 percent during each of the months of December through June) of the total quantity of